

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEPHEN B. KAUFMAN and LAW OFFICE OF
STEPHEN B. KAUFMAN, P.C.,

Plaintiff,

- against -

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant.

Docket No.: 23 CV 9906

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA (“Travelers”), hereby files this Notice of Removal of the above-captioned action to the United States District Court for the Southern District of New York from the Supreme Court of the State of New York, Bronx County, where the action is now pending under Index No. 813168/2023E, and states:

1. On or about August 28, 2023 Plaintiffs Stephen B. Kaufman and Law Office of Stephen B. Kaufman, P.C. (“Plaintiffs”) commenced this action in the Supreme Court of the State of New York, Bronx County by filing a summons and verified complaint (the “Complaint”), and the action is now pending in that court.

2. Upon information and belief, on October 17, 2023, Plaintiffs served the Complaint on the New York State Department of Financial Services (“NYSDFS”), who forwarded same on or about the same date to Corporation Service Company (“CSC”), Travelers’ statutory agent for service of process.

3. This action is a civil action to recover for alleged damages under an insurance policy and the United States District Court for the Southern District of New York has jurisdiction by reason of the parties' diversity of citizenship.

4. Upon information and belief, Plaintiff Stephen B. Kaufman is now, and at the time the action was commenced, a citizen of the State of New York residing in Bronx County, New York.

5. Upon information and belief, Plaintiff Law Office of Stephen B. Kaufman, P.C. is a New York professional corporation with its principal place of business in Bronx County, New York.

6. Defendant Travelers is a foreign corporation organized, formed and incorporated under the laws of Connecticut with its principal place of business located at One Tower Square, Hartford, Connecticut 06183.

7. The amount in controversy in this action exceeds \$75,000 exclusive of interest and costs.

8. No change of citizenship of the parties has occurred since the commencement of the action.

9. Accordingly, this Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332.

10. A copy of all process and pleadings sent to Travelers is attached hereto as Exhibit "A" and filed with this notice.

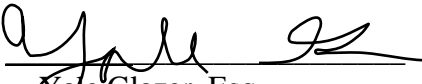
11. This Notice of Removal is being filed within thirty (30) days after the Complaint was served on NYSDFS and Plaintiffs' counsel confirmed on October 23, 2023 Mr. Kaufman's citizenship, and is thus timely pursuant to 28 U.S.C. § 1446(b).

12. Promptly after the filing of this Notice of Removal, Travelers will give written notice thereof to Plaintiffs' attorneys of record and will file a copy of this Notice of Removal with the Clerk of the Supreme Court of the State of New York, Bronx County, thereby effecting removal of the Action pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, since all of the prerequisites for diversity jurisdiction are present, Travelers respectfully requests that this action proceed in the United States District Court for the Southern District of New York as an action properly removed to it.

Dated: New York, New York
November 9, 2023

LAZARE POTTER GIACOVAS & MOYLE LLP

By: 
Yale Glazer, Esq.

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Attorneys for Defendant Travelers Casualty Insurance
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